

Appl. No.: 10/776,429
A.U.: 2856 Docket No.: B03-74
Reply to Office Action of August 23, 2006

REMARKS

Claims 1, 3-15, 17-22 and 31-34 appear in this application for the Examiner's review and consideration.

Claim 1 has been amended to recite that the calibration object mimics a golf ball. Support for the amended element is found from original claim 2, which was objected to. Therefore, claim 1 and all of the claims that depend therefrom, claims 3-15 and 17, are believed to be allowable. Claim 17 was amended to change its dependency from itself to claim 15. It is clear that the "at least two indicia" in claim 17 refer to the two indicia introduced in claim 15.

The Examiner has acknowledged that claims 18-22 and 31-34 are directed to allowable subject matter.

Claims 2, 16 and 23-30 have been cancelled. The Applicant reserves the right to file one or more continuing applications directed to the subject matter not presently claimed.

No new claims have been added. No new matter has been added by these amendments and additions.

Rejection Under 35 U.S.C. § 112, First/Second Paragraph

Claims 16, 17 and 23-30 were rejected under 35 U.S.C. § 112, second paragraph.

Although claim 16 has been deleted to simplify the prosecution of this matter, the Applicant would like to note that the word "indistinct" refers to the "at least two indicia...". The subject matter being claimed was that the two indicia could be a single marking, e.g., a single line having a set distance and the two ends of the lines would be the indicia looked for by the computer.

Claim 17 was amended to change its dependency from itself to claim 15. It is clear that the "at least two indicia" in claim 17 refer to the two indicia introduced in claim 15. Therefore, the rejection of claim 17 is believed to have been overcome.

Claim 23 was rejected because the Examiner was not sure what the "first indicium" corresponded to. As set forth in the specification, the line 110 is a line that intersects a plane containing the central axis of the sphere and, therefore, is used to indicate rotational and horizontal misalignment. See pages 7 and 8. However, this claim has been cancelled and the point is moot.

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The rejections under 35 U.S.C. § 112, second paragraph, are therefore believed to have been overcome. Applicant respectfully requests reconsideration and withdrawal thereof.

Rejection Over U.S. Patent No. 5,734,337

Claims 1, 3, 11, 12, 13, 14, 15 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,734,337 to Kupersmit. The '337 patent is generally directed to a method for determining the speed of a vehicle using a camera. The Examiner indicated that the '337 patent teaches a method of changing the viewing angle by providing a "reference vehicle" and comparing the apparent dimensions with the actual dimensions and then changing the viewing angle. The difference to the invention set forth in the present application is that the '337 patent uses software to compensate for distortions, whereas the present application teaches adjusting the camera to remove distortion.

However, in order to expedite the prosecution of this matter, claim 1 has been amended to include the limitation set forth in claim 2, which the Examiner had indicated was allowable. For at least this reason, the claim and all the claims that depend therefrom are believed to be allowable. As such, Applicant respectfully requests that this rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Conclusion

Based on the remarks set forth above, the Applicant believes that all of the rejections have been overcome and the claims of the subject application are in condition for allowance. Should the Examiner have any further concerns or believe that a discussion with the Applicants' attorney would further the prosecution of this application, the Examiner is encouraged to call the attorney at the number below.

No fee is believed to be due for this submission. However, should any required fees be due, please charge them to Acushnet Company Deposit Account No. 502309.

Respectfully submitted,



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